

# FISCAL NOTE

**Bill #:** HB0348

**Title:** Revise youth access to alcohol and provide for keg registration

**Primary Sponsor:** Buzzas, R

**Status:** As Amended in Senate Committee

Sponsor signature

Date

David Ewer, Budget Director

Date

## Fiscal Summary

	<b><u>FY 2006 Difference</u></b>	<b><u>FY 2007 Difference</u></b>
<b>Expenditures:</b>		
General Fund	\$0	\$0
<b>Revenue:</b>		
General Fund	\$12,500	\$12,500
<b>Net Impact on General Fund Balance:</b>	\$12,500	\$12,500

☐ Significant Local Gov. Impact

☐ Technical Concerns

☐ Included in the Executive Budget

☐ Significant Long-Term Impacts

☐ Dedicated Revenue Form Attached

☐ Needs to be included in HB 2

## Fiscal Analysis

### ASSUMPTIONS:

#### **Department of Revenue**

1. The proposal would require a licensee who sells beer in kegs to attach an identification tag to each keg sold. The identification tag would include: the licensee's name, address and phone number and a warning that removal of the tag is a criminal offense.
2. Under the proposal, a licensee is described as a retailer or a wholesaler who sells kegs to a consumer and is licensed under Title 16, Chapter 4, MCA (License Administration).
3. The department will develop and make available the identification tags required by the proposal.
4. Under the proposal, at the time of sale of the keg, the licensee will acquire information on the purchaser of the keg. The information will include name, address, date of birth, other personal identification information, the purchaser's signature and the date of purchase. The licensee will maintain this information for five (5) days after the date of the sale, or until the deposit on the keg is cashed, whichever is later.
5. If a law enforcement officer recovers the keg with an identification tag in connection with a violation of 16-6-305, MCA, (minor in possession of alcohol) or 45-5-624(4), MCA, (person of age purchasing alcohol for a minor) the officer shall return the keg to the licensee and request the information on file

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(continued)

about the original purchaser. The original purchaser must forfeit the deposit on the keg with half going to the licensee and half going to the appropriate law enforcement division.

6. Violation for removing the keg tag or failure to attach the keg tag is a misdemeanor and is punishable by a maximum fine of \$500. Since misdemeanor offenses are typically heard in courts of limited jurisdiction, the fine would be split 50/50 between the county where the fine is levied and the state general fund.
7. Assuming there are 50 convictions for violating this part each year, the state general fund would see a revenue increase of \$12,500 ( $50 \times \$500 \times 50\% = \$12,500$ ).
8. The department will experience minor administrative impacts from implementation of the bill and will absorb those impacts in its existing budget.
9. There is no effective date on the proposal. Per 1-2-201, MCA, the effective date would be October 1, 2005.

### FISCAL IMPACT:

	FY 2006 <u>Difference</u>	FY 2007 <u>Difference</u>
<u>Revenues:</u>		
General Fund (01)	\$12,500	\$12,500
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
General Fund (01)	\$12,500	\$12,500